6876216/2023/VIG-CCT

Secretary to C.C.S.T. (PESHI)
03 JAN 2023
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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department – Sri P. Prasanth kumar, GSTO Visakhapatnam- Division (now under suspension) - Allegations of Corruption harassment, indiscipline and abuse of official power – Preliminary enquiry conducted - Allegation prima facie proved – Disciplinary Proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Article of Charges - Issued.

REVENUE(CT-II) DEPARTMENT

G.O.Rt.No.03 Dated:02.01.2023.

Read the following:-

G.O.Ms.No.02 Revenue(CT.II) Dept., dated 02.01.2023.

* * * * *

O R D E R:

In continuation to the G.O. read above, it is proposed to hold an enquiry against Sri P. Prasanth kumar GSTO Visakhapatnam- Division (now undersuspension), in accordance with the procedure laid down in Rule 20 of the said rules.

2. The substance of the imputations of misconduct or misconduct or misbehavior in respect of which the inquiry is proposed to be held, is set out inthe enclosed statement of articles of charge (Annexure-I) and the imputations of misconduct or misbehavior in support of each article of charge is enclosed(Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained, are also enclosed (Annexure-III &IV).

3. Sri P. Prasanth kumar GSTO Visakhapatnam-II Division (now under suspension) is directed to submit within 10 days from the date of receipt of thisorder, a written statement of his defence.

4. Sri P. Prasanth kumar GSTO Visakhapatnam-II Division (now under suspension) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P. Prasanth kumar GSTO Visakhapatnam-II Division is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above further action, will be processed based on the material available.

(PTO)

6. Attention of Sri P. Prasanth kumar GSTO Visakhapatnam-II Division is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest inrespect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri P. Prasanth kumar GSTO Visakhapatnam-II Division is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N GULZAR
SECRETARY TO GOVERNMENT

To
Sri P. Prasanth kumar GSTO Visakhapatnam- Division (now under suspension), (w.e. Annexure-I to IV) **through** the Chief Commissioner of State Tax, A.P., Guntur (with a request to serve the order on the individual and send the served copy with dated signature to Government).
Copy to
The Chief Commissioner of State Tax, A.P., Guntur.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

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(P. Prasantha Kumar)
11/01/2023
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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI P.PRASANTH KUMAR, GSTO ,VISAKAPATNAM-II DIVISION.(NOW UNDER SUSPENSION)

Charge:-I

That, one M/s PSN Sastry, Advocate, (through e-mail letter Dated.02.12.2022) has filed a complaint that, Sri P. Prasanth Kumar, whileworking as GSTO (now under suspension) being one of the (collection wing) teammember formed by Sri P. Jayasankar, Deputy Commissioner (ST) (now under suspension), along with others, has collected huge bribes in his name in an around Visakhapatnam-II Division and Anakapalli District.

Charge-II

That, recently the team formed by Sri P. Jayasankar, DeputyCommissioner (ST) (now under suspension), has collected formalities from the dealers regularly moving in and around of the Visakhapatnam and Anakapalli Districts on behalf of the JC(ST), Visakhapatnam-II Division and giving assuranceto the dealers that, no further interceptions; audits and harassment will be made in this financial year. Additionally, the corruption team of DC(ST), arranging confrontation to the Trade Associations with JC(ST), after negotiations, they aregetting huge bribe from the respective trade associations. After giving assurance, collected huge formalities from the Tax Payers in the name of newbuilding construction for O/o the JC(ST), Visakhapatnam-II Division, likewise per year as:

1. Builders Association.... Rs.60,00,000/- (Two Districts)
2. Iron and Steel... Rs.15,00,000/- (Two Districts)
3. Works Contractor (Railways)... Rs.15,00,000/- (Two Districts)
4. Alluminium& Brass, Iron Scrap..Dealers Association... Rs.25,00,000/- (Two Districts)

Charge-III

That, Sri P. Prasanth Kumar, while working as GSTO, (now undersuspension), is epicenter for illegal activities in official duties and has shown unbecoming attitude towards the tax payers and officials of the department.

Charge:-IV

That, Sri P. Prasanth Kumar, while working as GSTO, (now undersuspension), has worked unauthorizedly in the O/o the JC(ST), Visakhapatnam-II Division, even though, his actual working place is at Anakapalli.

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Charge-V

That, Sri P. Prasanth Kumar, while working GSTO, (now under suspension) along with his team collected formalities from the transporters,charged accounts and the department authorities in circles in the name of visit expenditure during the visits of Secretary to Government (CT) along with Chief Commissioner (ST), to the Visakhapatnam Division-I & II.

Thus, Sri P. Prasanth Kumar, while working GSTO, Visakhapatnam-II Division, (now under suspension), by his above mentioned acts exhibited grave Misconduct , lack of integrity, devotion to duty and conduct which is unbecoming of a Government servant and thus violated the provision laid down under rule 3(1), (2) and (5) of A.P.C.S. (Conduct), Rules, 1964.

N GULZAR
SECRETARY TO GOVERNMENT

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORTOF THE ARTICLES OF CHARGE FRAMED AGAINST SRI P.PRASANTH KUMAR GSTO,VISAKAPATNAM DIVISION(NOW UNDER SUSPENSION)

It has been brought to the notice of the Government that, one M/sPSN Sastry, Advocate, (through e-mail letter Dated.01.12.2022) has filed acomplaint against Sri P. Prasanth Kumar, while working as GSTO, (now undersuspension), Visakhapatnam-II Division.

Facts of evidence of Charges:-

M/s PSN Sastry, Advocate complained that, Sri P. Prasanth Kumar, whileworking as GSTO, Visakhapatnam-II division, being one of the member of team(collection wing) formed by Sri P. Jayasankar, along with Sri B.M.M. Kishore, GSTO and Sri Prasanth Bhushan, A.E.O. O/o the Joint Commissioner (ST),Visakhapatnam-II Division has collected huge bribes in an around in Visakhapatnam-II Division and Anakapalli districts on behalf of the JC(ST), VSP-IIDivision and giving assurance to the dealers that, no further interceptions; audits and harassment will be made in this financial year. Additionally, the corruption team of DC(ST), arranging confrontation to the Trade Associations with JC(ST),after negotiations, they are getting huge bribe from the respective trade associations. After giving assurance, collected huge formalities from the TaxPayers in the name of new building construction of O/o the JC(ST),Visakhapatnam-II Division, likewise per year as:

1. Builders Association.... Rs.60,00,000/- (Two Districts)
2. Iron and Steel... Rs.15,00,000/- (Two Districts)
3. Works Contractor (Railways)... Rs.15,00,000/- (Two Districts)
4. Alluminium & Brass, Iron Scrap Dealers Association... ... Rs.25,00,000/- (Two Districts)

Further, Sri P. Prasanth Kumar, while working GSTO, have worked unauthorizedly at the O/o the JC(ST), Visakhapatnam-II Division, even though his actual working place is at Anakapalli.

The complainant also alleged that, the said [Collection Wing] team collected frailties from the transporters, charged accounts and the department authorities in circles in the name of visit expenditure during the visits of Secretary to Government (CT) along with Chief Commissioner (ST), to the Visakhapatnam Division-I & II.

Charge:-I

That, Sri P. Prasanth Kumar, while working as GSTO (now under suspension) being one of the (collection wing) team member formed by Sri P.Jayasankar, Deputy Commissioner (ST) (now under suspension), along with others, has collected huge bribes in an around Visakhapatnam-II Division and Anakapalli District.

(PTO)

Charge-II

That, recently the team formed by Sri P. Jayasankar, Deputy Commissioner (ST) (now under suspension), has collected formalities from the dealers regularly moving in and around of the Visakhapatnam and Anakapalli Districts and collecting huge bribes on behalf of the JC(ST), Visakhapatnam-II Division and giving assurance to the dealers that, no further interceptions; audits and harassment will be made in this financial year. Additionally, the corruption team of DC(ST), arranging confrontation to the Trade Associations with JC(ST),after negotiations, they are getting huge bribe from the respective trade associations. After giving assurance, collected huge formalities from the Tax Payers in the name of new building construction of O/o the JC(ST),Visakhapatnam-II Division, likewise per year as:

1. Builders Association.... Rs.60,00,000/- (Two Districts)
2. Iron and Steel... Rs.15,00,000/- (Two Districts)
3. Works Contractor (Railways)... Rs.15,00,000/- (Two Districts)
4. Alluminium & Brass, Iron Scrap Dealers Association... Rs.25,00,000/- (Two Districts)

Charge-III

That, Sri P. Prasanth Kumar, while working as GSTO, (now undersuspension), is epi center for illegal activities in official duties and has shown unbecoming attitude towards the tax payers and officials of the department and unauthorizedly worked in the O/o the JC(ST), Visakhapatnam-II Division, even though, his actual working place is Anakapalli.

Charge-IV

That, Sri P. Prasanth Kumar, while working GSTO, (now under suspension)along with his team has collected frailties from the transporters, charged accounts and the department authorities in circles in the name of visit expenditure during the visits of Secretary to Government (CT) along with Chief Commissioner (ST), to the Visakhapatnam Division-I & II.

Therefore, Sri P. Prasanth Kumar, while working GSTO, Visakhapatnam-II Division, (now under suspension), by his above mentioned acts exhibited grave misconduct , lack of integrity, devotion to duty and conduct which is unbecoming of a Government servant and thus violated the provision laid down under rule 3(1), (2) and (5) of A.P.C.S. (Conduct), Rules, 1964.

Hence, the charge.

N GULZAR
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

K. Sreenath
SECTION OFFICER

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(P. Prasantha Kumar) 11/01/2023

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI P.PRASANTH KUMAR GSTO, VISAKAPATNAM-II DIVISION.(NOW UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED

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1. Compliant received from the M/s PSN Sastry Advocate, D.No 58-22-48, NAD Kotha Road Visakhapatnam through e-mail dated 02.12.2022

2. Preliminary report as submitted by Additional Commissioner(ST) O/o RO, Visakhapatnam Ref No 03/Confidential /RO, Visakhapatnam dt 06.12.2022.

N GULZAR
SECRETARY TO GOVERNMENT

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K. Sreenath
SECTION OFFICER

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI P.PRASANTH KUMAR ,VISAKAPATNAM-II DIVISION.(NOW UNDER SUSPENSION) AREPROPOSED TO BE SUSTAINED

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(1) Sri S. Sekhar, Additional Commissioner (ST), O/o. R.O., Visakhapatnam.

(2) Sri P.S.N. Sastry, Advocate, D.No.58-22-48, NadKotha Road, Visakhapatnam.

N GULZAR
SECRETARY TO GOVERNMENT

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K. Sreenivasulu
SECTION OFFICER

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(P. Prasantha Kumar)
11/01/2023
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